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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:

Alpha Natural Resources, Inc., et al.,  
Debtors.

Chapter 11

Case No. 15-33896 (KRH)

(Joint Administration Requested)

**PROPOSED FIRST DAY AGENDA**

Location of Hearing: Courtroom of the Honorable Kevin R. Huennekens, Courtroom  
5000 of the United States Bankruptcy Court for the Eastern District  
of Virginia, Richmond Division, 701 East Broad Street, 5th Floor,  
Richmond, Virginia 23219.

**I. Introduction**

**Introductory Presentation**

1. **"Pro Hac Vice Motions"** — Motion For Admission to Practice, *Pro Hac Vice*, Under Local Bankruptcy Rule 2090-1(E)(2) (Final Order);
2. **"First Day Declarations"**
  - a. Declaration of Kevin S. Crutchfield, Chief Executive Officer and Chairman of the Board of Directors of Debtor Alpha Natural Resources, Inc., in Support of First Day Pleadings of Debtors and Debtors in Possession; and
  - b. Declaration of Philip J. Cavatoni, Executive Vice President & Chief Financial and Strategy Officer of Debtor Alpha Natural

Resources, Inc., in Support of First Day Pleadings of Debtors and Debtors in Possession;

3. **"Joint Administration"** — Motion of the Debtors, Pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure, for an Order Directing the Joint Administration of their Chapter 11 Cases (Final Order);

## II. First Day Matters

### Procedural and Administrative Pleadings

4. **"Consolidated Lists"** — Motion of the Debtors and Debtors in Possession, Pursuant to Sections 342 and 521(a) of the Bankruptcy Code, and Bankruptcy Rules 1007(a), 2002(a) and 2002(f) and Local Bankruptcy Rules 1007-1 and 2002-1 for an Order (A) Waiving the Requirement that Each Debtor Submit a Formatted Mailing Matrix, (B) Approving the Form and Manner of Notice of the Commencement of the Debtors' Chapter 11 Cases and (C) Authorizing the Filing of a Consolidated List of Top 50 Unsecured Creditors (Final Order);
5. **"Extension for Time to File Schedules"** — Motion of the Debtors for Entry of an Order, Pursuant to Sections 105 and 521 of the Bankruptcy Code, Bankruptcy Rules 1007, 2002, 2015.3 and 9006 and Local Bankruptcy Rule 1007-1 (I) Extending the Time Within Which They Must File Their (A) Schedules of Assets and Liabilities, (B) Schedules of Executory Contracts and Unexpired Leases, (C) Statements of Financial Affairs and (D) Rule 2015.3 Financial Reports; and (II) Waiving Requirement of Filing a List of Equity Security Holders and Providing Notice of Commencement to Equity Security Holders (Final Order);
6. **"Case Management"** – Motion of the Debtors for Entry of an Order Establishing Certain Notice, Case Management and Administrative Procedures (Final Order);
7. **"Claims and Noticing Agent"** — Application of the Debtors, Pursuant to Section 105(a) of the Bankruptcy Code, 28 U.S.C. § 156(c) and Bankruptcy Rule 2002, for an Order Authorizing Retention and Employment of Kurtzman Carson Consultants, LLC as Claims, Ballot and Noticing Agent, *Nunc Pro Tunc* to the Petition Date (Final Order);
8. **"Automatic Stay"** — Motion of the Debtors and Debtors in Possession, Pursuant to Section 105 of the Bankruptcy Code, for an Order (A) Confirming the Protections of Sections 362, 365 and 525 of the Bankruptcy Code and (B) Granting Certain Related Relief (Final Order);
9. **"Trading Motion"** — Motion of the Debtors Pursuant to Sections 105, 362 and 541 of the Bankruptcy Code, for Entry of Interim and Final Orders (I) Establishing Notice and Objection Procedures for Transfers of

Equity Securities, (II) Establishing a Record Date for Notice and Sell-Down Procedures for Trading in Claims Against the Debtors' Estates and (III) Granting Related Relief (Interim Order);

**Pleadings Regarding Employee Matters**

10. **"Employee Wages and Benefits"** — Motion of Debtors for Interim and Final Orders Authorizing Them to: (A) Pay Prepetition Employee Compensation and Business Expenses; (B) Pay and Honor Employee Medical and Other Benefits; (C) Make Employee Payroll Deductions and Pay Payroll Taxes; (D) Continue Employee Wage and Benefits Programs; and (E) Pay All Costs and Expenses Incident to Any of the Foregoing (Interim Order);

**Pleadings Regarding Business Operations of the Debtors**

11. **"Taxes"** — Motion of the Debtors, Pursuant to Sections 105(a), 363(b), 507(a) and 541 of the Bankruptcy Code, for Interim and Final Orders Authorizing Them to Pay Certain Prepetition Taxes (Interim Order);
12. **"Insurance"** — Motion of Debtors for Interim and Final Orders Authorizing the Debtors to (I) Maintain, Continue and Renew Their Property, Casualty, Liability, Workers' Compensation and Other Insurance Programs, Policies and Agreements and (II) Honor All Obligations in Respect Thereof (Interim Order);
13. **"Surety Bonds"** — Motion of the Debtors, Pursuant to Sections 363 and 364 of the Bankruptcy Code, for Interim and Final Orders (A) Authorizing the Debtors to Maintain, Continue and Renew their Surety Bond Program and (B) Granting Certain Related Relief (Interim Order);
14. **"Utilities"** — Motion of the Debtors, Pursuant to Section 366 of the Bankruptcy Code, for Interim and Final Orders Establishing Adequate Assurance Procedures with Respect to Their Utility Providers (Interim Order);
15. **"Vendor Comfort"** — Motion of the Debtors for an Order, Pursuant to Sections 105(a), 363(c) and 503(b)(1)(A) of the Bankruptcy Code, Confirming the Administrative Expense Priority Status of the Debtors' Undisputed Obligations for the Postpetition Delivery of Goods and Provision of Services (Final Order);
16. **"Essential Suppliers"** — Motion of the Debtors, Pursuant to Section 105(a), 363(b) and 503(b)(9) of the Bankruptcy Code, for Interim and Final Orders Authorizing Them to Pay Prepetition Claims of Certain Essential Suppliers and Service Providers (Interim Order);

17. **"Lienholders"** — Motion of the Debtors, Pursuant to Sections 105(a) and 363 of the Bankruptcy Code, for Interim and Final Orders Authorizing Them to Pay Prepetition Claims of Certain Lien Claimants (Interim Order);
18. **"Customer Obligations"** — Motion of the Debtors, Pursuant to Sections 105(a) and 363 of the Bankruptcy Code, for Interim and Final Orders Authorizing Them to Pay Prepetition Obligations to Their Customers (Interim Order);
19. **"Coal Sale Contracts"** — Motion of the Debtors for Interim and Final Orders (A) Authorizing the Debtors to Enter Into and Perform Under Coal Sale Contracts and (B) Granting Certain Related Relief (Interim Order);
20. **"503(b)(9) Procedures"** — Motion of the Debtors, Pursuant to Sections 105(a) and 503 of the Bankruptcy Code and Bankruptcy Rules 3002 and 3003, for an Order Establishing Procedures to Resolve Claims Arising Under Section 503(b)(9) of the Bankruptcy Code (Final Order);
21. **"Reclamation Procedures"** — Motion of the Debtors, Pursuant to Sections 105(a), 362 and 546(c) of the Bankruptcy Code and Bankruptcy Rule 9019(b), for an Order Establishing Procedures for Resolving Reclamation Claims Asserted Against the Debtors (Final Order);

**Cash Management and Financing Motions**

22. **"Cash Management"** — Motion of the Debtors, Pursuant to Sections 345, 363(c)(1), 364 and 503(b)(1) of the Bankruptcy Code and Bankruptcy Rules 6003(b) and 6004(h), for Interim and Final Orders: (A) Approving the Continued Use of the Debtors' Cash Management System, Bank Accounts and Business Forms; (B) Granting an Interim Waiver of the Requirements of Section 345(b) and Certain of the U.S. Trustee's Operating Guidelines; (C) Permitting Continued Intercompany Transactions; and (D) Preserving and Permitting the Exercise of Intercompany Setoff Rights; and (E) Authorizing Banks to Honor Certain Transfers and Charge Certain Fees and Other Amounts (Interim Order).
23. **"Motion to Seal"** — Motion of the Debtors Pursuant to Sections 105 and 107 of the Bankruptcy Code and Bankruptcy Rule 9018, to File Under Seal Exhibit F to the Debtors' Motion to Obtain Postpetition Financing (Final Order); and
24. **"DIP Motion"** — Motion for Interim and Final Orders (I) Authorizing Debtors (A) to Obtain Post-Petition Financing Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364(c)(1), 364(c)(2), 364(c)(3), 364(d)(1), and 364(e) and (B) to Utilize Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection to Pre-Petition Secured Parties Pursuant to 11 U.S.C. §§ 361, 362, 363, 364 and 507(b) and (III) Scheduling Final Hearing Pursuant to Bankruptcy Rules 4001(b) and (c) (Interim Order);

Dated: August 3, 2015  
Richmond, Virginia

Respectfully submitted,

/s/ Justin F. Paget

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J.R. Smith (VSB No. 41913)  
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